

### **REMARKS**

Claims 1-28 are pending in the present application.

Claim 10 is amended herein.

Reconsideration on the merits is respectfully requested.

The claims are believed to be allowable for the reasons set forth herein. Notice thereof is respectfully requested.

#### Rejections under 35 U.S.C. § 102

Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Huizinga et al. (USP 4,328,280).

Huizinga et al. is cited as disclosing an apparatus for evaluating the triboelectrical properties of at least two samples. The Office has mischaracterized the teachings of Huizinga et al. and rejected the claims based on this mischaracterization. Applicants respectfully traverse.

In the action the Office opines that "one piece of film is divided into three portions/sections for testing of different coatings, so they would be kept together in one piece just divided into three sections". This is not taught in Huizinga et al. The Office has ignored the clear teachings of Huizinga et al. wherein the individual samples are prepared by a punch. (see

col. 8 line 3). The Office has apparantly considered three distinct physically separate samples to be equivalent to a contiguous sample with defined regions thereon. Claim 1 clearly recites that the multiple samples are on a common support which is clearly distinguishable from physically separated samples.

Applicants respectfully submit that the rejection of claims 1 and 2 under 35 U.S.C. 102(b) is improper due to the failure of Huizinga et al. to recite multiple samples on a contiguous support.

#### Rejections under 35 U.S.C. § 103

Claims 1-9 and 13-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abramsohn et al. (USP 6,166,550) in view of Huizinga et al. (USP 4,328,280).

Abramsohn et al. is cited as disclosing an apparatus for evaluating the triboelectrical properties of a sample. The Office opines that a grounded means for holding a material is taught, however, this is incorrect. Abramsohn et al. does recite a ground plate however this has nothing to do with the means for holding the material. As set forth throughout the instant specification the term "ground means" is defined as that

which holds the material to a surface. The surface is either a drum or a plate as set forth specifically in paragraph [0038]. The Office has taken the term "grounded means" out of context to mean only an electrical ground. Claims 3, 6, 13 and 18-21 specifically recite that the grounded means is a rotatable drum.

Referring to Abramsohn et al. the drum, 264, is preferably covered by Mylar™, or a similar material, to limit the flow of electrical charge between the sheet and the drum. Otherwise, the measurement of triboelectric charge is interfered with. This is contrary to the present invention wherein the drum, or plate, is grounded to hold the material in place. Abramsohn et al. would lead one to electrically isolate the material whereas the present invention purposely has some level of electrical continuity. It is impossible to read Abramsohn et al. in such a way as to arrive at purposeful electrical continuity between the material and the drum.

In addition to failing to recite a grounded means for holding a material the Office notices that Abramsohn et al. fails to recite multiple samples wherein one is a test sample and the other is a reference sample. Huizinga et al. is cited for teachings of the multiple samples.

As stated supra claim 1 specifically recites that the multiple samples are on a common support. This is contrary to the teachings of Huizinga et al. wherein samples are formed by punching a sample from a sheet thereby forming discrete samples for testing.

In summary, Abramsohn et al. fails to lead one of skill in the art to a grounded means as defined in the specification and recited in claim 1 specifically and claims 2-9 and 13-27 by dependence therefrom. Huizinga et al. fails to recite the use of multiple samples on a common support. Therefore, even taken together, Abramsohn et al. and Huizinga et al. fail to lead one of skill in the art to the present invention. In fact, Abramsohn et al. teaches against electrical continuity between the material being tested and the drum and Huizinga et al. teaches against contiguous samples. Therefore, the combination leads one of skill in the art in a direction opposite to the claimed invention for multiple aspects of the claimed invention.

The rejection of claims 1-9 and 13-27 under 35 U.S.C. 103(a) as being unpatentable over Abramsohn et al. in view of Huizinga et al. is traversed. Notice thereof is respectfully solicited.

Claims 10-12 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abramsohn et al. in view of Vanmaele et al. (EP 1243409).

Abramsohn et al. is cited for the same reasons discussed supra. As pointed out above Abramsohn et al. fails to recite a grounded means within the context of the term as defined in the present application. Abramsohn et al. further lacks any teachings directed to an array of samples as pointed out by the Office. Vanmaele et al. is cited as teaching variants of multi-layered materials including a film.

By combining Abramsohn et al. and Vanmaele et al. the Office opines that the invention recited in claim 10 is obviated. Applicants respectfully traverse.

Vanmaele et al. describes a film with discrete regions. Vanmaele et al. fails to provide any guidance for the apparatus in which the film would be tested. Therefore, Vanmaele et al. fails to mitigate the deficiency of Abramsohn et al. Particularly, Vanmaele et al. fails to provide a grounded means which is otherwise lacking in Abramsohn et al.

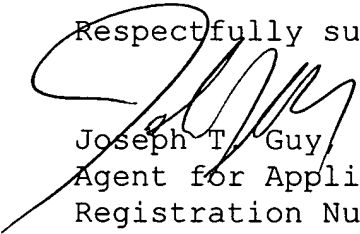
Claims 11, 12 and 28 ultimately depend from claim 10 and are patentable for, at least, the same reasons as claim 10.

The rejection of claims 10-12 and 28 under 35 U.S.C. 103(a) as being unpatentable over Abramsohn et al. in view of Vanmaele et al. is traversed.

#### CONCLUSIONS

All claims are in now believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,

  
Joseph T. Guy, Ph.D.  
Agent for Applicants  
Registration Number 35,172  
Customer No.: 46591

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